

Articles of Confederation

On July 12, 1776, a plan to form a confederacy among the 13 states of North America was presented to Congress. The original plan, drafted by John Dickinson of Pennsylvania and agreed upon by a committee made up of one person from each of the states, was much debated by Congress and did not appear in its final form until November 1777. The Articles of Confederation was then ratified by all the states and finally went into effect in 1781.

Articles of Confederation and Perpetual Union Between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

Article I

The style of this confederacy shall be “The United States of America.”

Article II

Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right which is not by this confederation expressly delegated to the United States in Congress assembled.

Article III

The said states hereby severally [each by itself] enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

Article IV

The better to secure and perpetuate mutual friendship and intercourse [dealings] among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress [entrance and exit] to and from any other state and shall enjoy therein all the privileges of trade and commerce,

subject to the same duties, impositions [requirements], and restrictions as the inhabitants thereof respectively. . . .

If any person guilty of or charged with treason, felony, or other high misdemeanor in any state shall flee from justice, and be found in any of the United States, he shall, upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offense.

Full faith and credit shall be given in each of these states to the records, acts, and judicial proceedings of the courts and magistrates of every other state.

Article V

For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in Congress. . . .

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from, and attendance on, Congress, except for treason, felony, or breach of the peace.

Article VI

No state, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any

king, prince, or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument [payment], office, or title of any kind whatever from any king, prince, or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more states shall enter into any treaty, confederation, or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into and how long it shall continue. . . .

No vessels of war shall be kept up in time of peace by any state except such number only as shall be deemed necessary by the United States in Congress assembled for the defense of such state or its trade; nor shall any body of forces be kept up by any state in time of peace except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defense of said state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutered [equipped], and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents and a proper quantity of arms, ammunition and camp equipage.

No state shall engage in any war without the consent of the United States in Congress assembled unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted. . . .

Article VIII

All charges of war and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress assembled, shall be defrayed [paid] out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state, granted to or surveyed for any person, as such land the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled shall from time to time direct and appoint. The taxes for paying that proportion shall be laid and

levied by the authority and direction of the legislatures of the several states within the time agreed upon by the United States in Congress assembled.

Article IX

The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors—entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to or from prohibiting the exportation or importation of any species of goods or commodities whatsoever—of establishing rules for deciding in all cases what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—of granting letters of marque and reprisal [retaliating] in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and difference now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction, or any other cause whatever, which authority shall always be exercised in the manner following: Whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to Congress stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question. . . .

If any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence or judgment, which

shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress and lodged among the acts of Congress for the security of the parties concerned. Provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state where the cause shall be tried, “well and truly to hear and determine the matter in question, according to the best of his judgment, without favor, affection, or hope of reward”: provided, also, that no state shall be deprived of territory for the benefit of the United States. . . .

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority or by that of the respective states—fixing the standard of weights and measures throughout the United States—regulating the trade and managing all affairs with the Indians not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated—establishing or regulating post offices from one state to another, throughout all the United States, and exacting such postage on the papers passing through the same as may be requisite to defray the expenses of the said office—appointing all officers of the land forces in the service of the United States excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States—making rules for the government and regulation of the said land and naval forces, and directing their operations. . . .

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased or the number of land or sea forces to be raised, nor appoint a commander in chief of the Army or Navy, unless nine states assent [agree] to the same; nor shall a question on any other point, except for

adjourning from day to day, be determined unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the journal when it is desired by any delegate, and the delegates of a state, or any of them, at his or their request, shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the legislatures of the several states.

Article X

The Committee of the States, or any nine of them, shall be authorized to execute, in [during] the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine states, shall from time to time think expedient [appropriate] to vest them with [give them]; provided that no power be delegated to the said committee, for the exercise of which, by the Articles of Confederation, the voice of nine states in the Congress of the United States assembled is requisite [required].

Article XI

Canada acceding [agreeing] to this Confederation, and joining in the measures of the United States, shall be admitted into and entitled to all the advantages of this union; but no other colony shall be admitted into the same unless such admission be agreed to by nine states.

Article XII

All bills of credit emitted, moneys borrowed, and debts contracted by or under the authority of Congress, before the assembling of the United States, in pursuance [a carrying out] of the present Confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the public faith are hereby solemnly pledged.

Article XIII

Every state shall abide by the determinations of the United States in Congress assembled on all questions which by this Confederation are submitted to them. And the Articles of this Confederation shall be inviolably [wholly] observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States and be afterward confirmed by the legislatures of every state.

And whereas it has pleased the Great Governor of the world to incline the hearts of the legislatures we respectively represent in Congress to approve of, and to authorize us to ratify the said Articles of Confederation and Perpetual Union. Know ye that we the undersigned delegates, by virtue of the power and authority to us given for

that purpose, do by these presents, in the name and in behalf of our respective constituents [citizens represented by the delegates], fully and entirely ratify and confirm each and every of the said Articles of Confederation and Perpetual Union and all and singular [each and every one of] the matters and things therein contained. And we do further solemnly plight [pledge] and engage the faith of our respective constituents that they shall abide by [accept without objection] the determinations of the United States in Congress assembled on all questions which by the said Confederation are submitted to them. And that the articles thereof shall be inviolably observed by the states we respectively represent, and that the union shall be perpetual. In witness whereof we have hereunto set our hands in Congress.

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## Thinking Critically

1. What is the stated purpose of the confederation?
2. How were members of Congress to be chosen?
3. What provisions did the Articles of Confederation make to ensure that a monarchy would not be established in the United States?
4. Under what circumstances could a state engage in war without the consent of Congress?
5. How was the new government to be financed?
6. What do the Articles say in regard to any state being denied its territory for the benefit of the nation?
7. Who has the power to monitor the postal system?
8. How many states must consent before Congress can execute most of its powers, i.e., the power to wage war?
9. What provisions are made to ensure that the states know of the activities and votes of Congress?
10. To whom was the opportunity to join the union offered?
11. What happened to debts previously acquired by the United States?
12. In your opinion, was this "firm league of friendship" sufficient to hold the United States together as a nation? Why or why not?

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